

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

TRUSTEES OF THE SUBURBAN TEAMSTERS)	
OF NORTHERN ILLINOIS WELFARE AND)	
PENSION FUNDS,)	
)	
Plaintiffs,)	
)	No. 2012 C 9068
v.)	
)	Judge Sharon Johnson Coleman
HAMMERLINE EXPRESS COMPANY)	
an Illinois corporation)	Magistrate Judge Rowland
)	
Defendant.)	

MOTION FOR DEFAULT JUDGMENT IN SUM CERTAIN

NOW COMES the Plaintiff, TRUSTEES OF THE SUBURBAN TEAMSTERS OF NORTHERN ILLINOIS WELFARE AND PENSION FUND, by and through its attorney, JOHN J. TOOMEY, ARNOLD AND KADJAN, and pursuant to FRCP 55 move for judgment in sum certain as stated in this Complaint and the supporting Affidavits attached hereto. In support of its Motion, Plaintiffs state as follows:

1. Suit was filed on November 13, 2012 for collection of delinquent contributions plus attorneys' fees, costs and interest under 29 U.S.C. 1132(g)(2).
2. Service upon HAMMERLINE EXPRESS COMPANY, an Illinois corporation was made on the Defendant on December 4, 2012, and a copy of the proof of service was filed with the court on December 6, 2012.
3. On December 21, 2012 the law firm of Greenberg Traurig, LLP filed its appearance on behalf of the Defendant.
4. On December 24, 2012 counsel for the Defendant filed a Motion for Extension of Time to Answer or Otherwise Plead which was granted on January 9, 2013. Defendant's answer was due January 23, 2013.

5. On February 1, 2013 Plaintiff's counsel contacted Martin Kedziora to inquire as to the status of the Defendant's Answer due January 23, 2013 and was reminded of the February 22, 2013 status date and Joint Status Report due February 15, 2013. Defendant's counsel could not state the date Defendant's Answer would be filed.

6. Defendant is now in default as to the Complaint and as supported by the attached Affidavits the sums due are:

\$33,691.04	Welfare Fund audit January, 2011 through June 30, 2012
\$60,676.31	Pension Fund audit January, 2011 through June 30, 2012
\$14,722.76	Defaulted Pension Fund installment note payments
\$2,344.76	Defaulted Welfare Fund installment note payments
\$1,110.00	Attorneys fees
<u>\$455.00</u>	Court costs
\$112,999.87	

WHEREFORE, Plaintiff prays for:

1. Entry of judgment against Defendant, HAMMERLINE EXPRESS COMPANY, an Illinois corporation, and in favor of Plaintiffs, TRUSTEES OF THE SUBURBAN TEAMSTERS OF NORTHERN ILLINOIS WELFARE AND PENSION FUNDS in the amount of \$112,999.87.

TRUSTEES OF THE SUBURBAN TEAMSTERS
OF NORTHERN ILLINOIS WELFARE AND
PENSION FUNDS

s/John J. Toomey
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Dated: February 4, 2013